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Russia: Anti-corruption strategies in law enforcement, police complaints mechanism and witness protection
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Anti-corruption strategies in law enforcement

In August 2006, the British Broadcasting Corporation (BBC) reported the creation of Russia's first all-female unit of traffic police in Volgograd; this move was motivated by research showing that women were less corruptible (28 Aug. 2006).

According to Global Integrity, the Prosecutor's Office has been actively identifying and prosecuting corrupt law enforcement officials, including prosecutors (2006, indicator 75d). Interior Ministry statistics show that crimes perpetrated by police officers rose 46.8 percent between 2004 and 2005; criminal charges, most often relating to corruption and abuse of office, were brought against 4,269 officials in 2005, (Global Integrity 2006, indicator 75f). The majority of cases involved patrolmen, as well as higher-ranked policemen in the passport and visa services, in criminal investigation units and in the traffic police (ibid.). The most infamous case involved a ring of police officers involved in the selling of fraudulent identification cards, licence plates and Kremlin security passes (ibid.).

In March 2006, Russia's prosecutor general Vladimir Ustinov revealed that 1,270 police constables and 450 higher-ranked policemen had been charged in 2005 for covering up crimes (RIA Novosti 24 Mar. 2006). President Vladimir Putin dismissed Ustinov in June 2006, dissatisfied with his "ineffective" efforts to combat corruption (*The Guardian* 8 Nov. 2006; *The Independent* 3 June 2006).

At the same time, *Country Reports on Human Rights Practices for 2006* notes that "there were few crackdowns on illegal police activity" in 2006 (US 6 Mar. 2007, Sec. 1.d). ITAR-TASS reports that out of 30,000 criminal cases instituted against law enforcement officials in 2005, only 3,000 were actually brought to court (3 Apr. 2007). In 2005, over 100 police officers were reportedly arrested for drug trafficking (US Mar. 2007, Sec. III).

Police complaints mechanism

Global Integrity's 2006 *Country Reports* states that citizens can complain

about police action by forwarding their complaints to the Prosecutor General's Office, the Federal Security Services (Federal'naya Sluzhba Bezopasnosti, FSB) and the Department of Internal Security of the Ministry of the Interior (Global Integrity 2006, indicator 75a). Citing an Interfax story, Global Integrity reported that in 2005, the Department of Internal Security had reviewed 45,179 complaints by citizens about illegal activities perpetrated by law enforcement officers, an increase of almost 12 percent over the previous year (ibid., indicator 75b). A new law on citizens' complaints, which as of 2006 had yet to be enforced, requires authorities to review and respond to complaints within a month, with an additional month allowed in complicated cases (ibid.).

Many cases of criminal corruption involving bureaucrats have been uncovered as a result of citizens' complaints to the Federal Security Service (Federal'naya Sluzhba Bezopasnosti, FSB) or the Prosecutor-General's Office (Global Integrity 2006, indicator 67b).). However, according to an expert on corruption cited by Global Integrity, "even these agencies are affected by corruption, and it is hard to say how many businesspersons prefer to pay a bribe rather than apply for law-enforcement protection" (ibid.).

General witness protection

The Federal Law on Government Protection of Crime Victims, Witnesses, and Other Individuals Involved in Criminal Judicial Proceedings (*Federal'nyy zakon Rossiyskoy Federatsii ot 20 avgusta 2004 N 119-F3 "O gosudarstvennoy zashchite poterpevshikh, svideteley i inykh uchastnikov ugolovnogo sudoproizvodstva"*) was passed on 20 August 2004 (*The Moscow Times* 3 Nov. 2006) and came into effect on 1 January 2005 (Ekho Moskvyy Radio 4 Oct. 2005). A Russian-language copy of the law is available on the Web site of the official government newspaper *Rossiskaya Gazeta* at <http://www.rg.ru/printable/2004/08/25/zakon-zashita.html> (Russia 25 Aug. 2004).

Depending on the circumstances, witnesses are provided with varying degrees of protection and can benefit from one or more of a number of services and resources such as bodyguards, relocation, plastic surgery and a new job (Russia 25 Aug. 2004, Art 6). Global Integrity noted in 2006 that a number of regulations necessary for the full implementation of the witness protection law had yet to be adopted (2006, indicator 41). On 22 March 2007, RIA Novosti reported that the Interior Ministry had created a witness protection department and drafted regulations to implement the witness protection law. Concerning the number of persons to be assisted by the witness protection legislation in Russia, observers consider that up to a quarter of Russian witnesses face threats or blackmail (RTR Russia TV 18 Oct. 2006) and that a fifth of the approximately ten million people who act as witnesses every year in court are pressured to change their testimony (*The Moscow Times* 20 Oct. 2004). However, according to an article appearing in *The Moscow Times* in October 2004, legislators expect only about 5,000 witnesses per year to require protection, with about 1,000 needing to relocate and about 150 requiring plastic surgery (20 Oct. 2004), while a more recent article in *Vremya Novostey* states the government expects more than 60,000 Russians involved in judicial proceedings between 2006 and 2009 to be eligible for protection under the witness protection law (14 Apr. 2006). In 2005, however, according to RTR Russia TV, security measures were taken to protect only 500 Russian witnesses (18 Oct. 2006). Similarly, in early 2007, the Moscow-based weekly magazine *Ogonyok* quoted Vladimir Vasiliev, chairman of the Duma's security committee, as stating that the witness protection program "covers about 500 people at present" (12 Mar. 2007). In March 2007, a

representative of the Interior Ministry indicated that police had protected a total of 2,000 witnesses and injured parties in criminal cases in the preceding two years (ITAR-TASS 22 Mar. 2007).

In October 2005, Ekho Moskvyy Radio cited the chairman of the Duma Committee on Legislation, Pavel Krasheninnikov as stating that witness protection "is not being fully implemented in Russia" as a result of under funding (4 Oct. 2005). This sentiment was echoed by the head of the Interior Ministry's department for combatting organized crime and terrorism, who stated that the witness protection program was largely ineffective (Ekho Moskvyy 4 Oct. 2005). Ekho Moskvyy noted that between five and eight Russian witnesses died every year during the course of criminal proceedings (4 Oct. 2005). However, further or corroborating information, however, could not be found among the sources consulted by the Research Directorate.

Although the Russian government has since allocated nearly a billion roubles [approximately CAD 44 million (Bank of Canada 10 Apr. 2007)] to implement the witness protection legislation over the two-year period from 2006 to 2008 (RIA Novosti 22 March. 2007; *Vremya Novostey* 14 Apr. 2006), the SKRIN Newswire, citing the business-daily *Kommersant*, reported in November 2006 that many lawmakers and those involved in criminal trials considered Russia's witness protection program too underfinanced to be effective (2 Nov. 2006).

Protection available to witnesses who expose corruption

According to Global Integrity, there exists no specific law to protect whistle-blowers who expose cases of corruption, either in the public or private sectors (2006, indicator 41). The fact that Russia accepted a number of international anti-corruption obligations in 2006 suggests that protection for whistle-blowers will eventually be incorporated into Russian legislation (Global Integrity 2006, indicator 41). Citing an expert on legal reforms in Russia, Global Integrity explained in a 2006 report that while some agencies and departments had telephone hotlines that could be used to report corruption, these were aimed at external clients (the general public), and there was no mechanism for public servants themselves to report corruption (ibid., indicator 42).

For example, in August 2006, the Prosecutor's Office in the Altai Region of Siberia set up a telephone hotline and an e-mail address to be used for reporting corruption (Alliance Media 21 Aug. 2006). In 2005, a hotline was installed in the Kuzbass region for college and university students wishing to report corrupt faculty members; however, an article published in the summer of 2005 stated that no concrete complaints had yet been received (REGNUM 18 July 2005). A hotline was set up in Ufa in May 2006 for citizens to report corrupt housing officials (ibid. 17 May 2006). However, an early user of the hotline told journalists that her complaint went unheeded (ibid., 17 May 2006). Finally, a telephone hotline service set up in Khabarovsk Krai in July 2006 for citizens to report corrupt officials mostly received calls related to poor utility services rather than incidents of corruption (ibid. 17 July 2006).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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